

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

COREY RICHARD HORNE,	:	
Petitioner	:	Civil Action No. 1:11-cv-01062
	:	
v.	:	(Chief Judge Kane)
	:	
THOMAS KEARNEY, District Attorney,	:	(Magistrate Judge Blewitt)
York County, et al.,	:	
Respondents	:	

ORDER

THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

On August 10, 2012, Magistrate Judge Blewitt issued a Report and Recommendation, wherein he recommends that Petitioner's amended petition for a writ of habeas corpus be dismissed without prejudice for failure to exhaust state court remedies. (Doc. No. 25.) No timely objections have been filed.

ACCORDINGLY, on this 28th day of August 2012, upon review of the record and the applicable law, **IT IS HEREBY ORDERED THAT:**

1. Magistrate Judge Blewitt's Report and Recommendation (Doc. No. 25) is **ADOPTED**;
2. Respondents' motion to dismiss Petitioner's amended petition for a writ of habeas corpus (Doc. No. 19) is **GRANTED**;
3. Petitioner's amended petition for a writ of habeas corpus (Doc. No. 17) is **DISMISSED WITHOUT PREJUDICE**;
4. The Clerk of Court is directed to close the case; and
5. No certificate of appealability shall issue.

S/ Yvette Kane

Yvette Kane, Chief Judge
United States District Court
Middle District of Pennsylvania